

REPORT

Of the Committee to whom was referred, at the commencement of the present Session of Congress, so much of the President's Message as relates to the Slave Trade, accompanied with a Bill to incorporate the American Society for colonizing the free people of color of the United States.

MAY 8, 1820.

Read twice, and, with the bill, committed to the Committee of the whole House on the bill from the Senate, To continue in force an act to protect the commerce of the United States, and punish the crime of piracy, &c. &c.

The Committee on the Slave Trade, to whom was referred the memorial of the President and Board of Managers of the American Society for colonizing the Free People of Color of the United States, have, according to order, had under consideration the several subjects therein embraced, and

REPORT:

That the American Society was instituted, in the city of Washington, on the 28th of December, 1816, for the benevolent purpose of affording to the free people of color of the United States the means of establishing one or more independent colonies on the western coast of Africa. After ascertaining, by a mission to that continent, and other preliminary inquiries, that their object is practicable, the Society request of the Congress of the United States a charter of incorporation, and such other legislative aid as their enterprize may be thought to merit and require.

The memorialists anticipate from its success consequences the most beneficial to the free people of color, themselves; to the several states in which they at present reside; and to that continent which is to be the seat of their future establishment. Passing by the foundation of these anticipations, which will be seen in the annual reports of the Society and their former memorials, the attention of the Committee

has been particularly drawn to the connection which the memorialists have traced between their purpose and the policy of the recent act of Congress, for the more effectual abolition of the African slave trade.

Experience has demonstrated that this detestable traffic can be nowhere so successfully assailed, as on the coast upon which it originates. Not only does the collection and embarkation of its unnatural cargoes consume more time than their subsequent distribution and sale in the market for which they are destined, but the African coast, frequented by the slave ships, is indented with so few commodious or accessible harbors, that, notwithstanding its great extent, it could be guarded by the vigilance of a few active cruisers. If to these be added colonies of civilized blacks, planted in commanding situations along that coast, no slave ship could possibly escape detection; and thus the security, as well as the enhanced profit which now cherish this illicit trade, would be effectually counteracted. Such colonies, by diffusing a taste for legitimate commerce among the native tribes of that fruitful continent, would gradually destroy among them, also, the only incentive of a traffic which has hitherto rendered all African labor insecure, and spread desolation over one of the most beautiful regions of the globe. The colonies, and the armed vessels employed in watching the African coast, while they co-operated alike in the cause of humanity, would afford to each other mutual succour.

There is a single consideration, however, added to the preceding view of this subject, which appears to your committee, of itself, conclusive of the tendency of the views of the memorialists to further the operation of the act of the third of March, 1818. That act not only revokes the authority antecedently given to the several state and territorial governments, to dispose, as they pleased, of those African captives, who might be liberated by the tribunals of the United States, but authorizes and requires the President to restore them to their native country. The unavoidable consequence of this just and humane provision, is, to require some preparation to be made for their temporary succour, on being relanded upon the African shore. And no preparation can prove so congenial to its own object, or so economical, as regards the government charged with this charitable duty, as that which would be found in a colony of the free people of color of the United States. Sustained by the recommendations of numerous societies in every part of the United States, and the approving voice of the legislative assemblies of several states, without inquiring into any other tendency of the object of the memorialists, your committee do not hesitate to pronounce it deserving of the countenance and support of the general government. The extent to which these shall be carried is a question not so easily determined.

The memorialists do not ask the government to assume the jurisdiction of the territory, or to become, in any degree whatever, responsible for the future safety or tranquility of the contemplated colony. They have prudently thought, that its external peace and se-

curity would be most effectually guarded, by an appeal, in its behalf, to the philanthropy of the civilised world; and to that sentiment of retributive justice, with which all christendom is at present animated towards a much injured continent.

Of the constitutional power of the general government to grant the limited aid contemplated by the accompanying bill and resolutions, your committee presume, there can exist no shadow of doubt; and they leave it to a period of greater national prosperity to determine, how far the authority of Congress, the resources of the national government, and the welfare and happiness of the United States, will warrant, or require its extension.

Your committee are solemnly enjoined by the peculiar object of their trust, and invited by the suggestions of the memorialists, to enquire into the defects of the existing laws against the African slave trade. So long as it is in the power of the United States to provide additional restraints upon this odious traffic, they cannot be withheld, consistently with justice and the honor of the nation.

Congress have heretofore marked, with decided reprobation, the authors and abettors of this iniquitous commerce, in every form which it assumes; from the inception of its unrighteous purpose in America, through all the subsequent stages of its progress, to its final consummation; the outward voyage; the cruel seizure, and forcible abduction of the unfortunate African from his native home, and the fraudulent transfer of the property thus acquired. It may, however, be questioned, if a proper discrimination of their relative guilt, has entered into the measure of punishment annexed to these criminal acts.

Your committee cannot perceive wherein the offence of kidnapping an unoffending inhabitant of a foreign country; of chaining him down for a series of days, weeks, and months, amidst the dying and the dead, to the pestilential hold of a slave ship: of consigning him, if he chance to live out the voyage, to perpetual slavery in a remote and unknown land, differs in malignity from piracy, or why a milder punishment should follow the one, than the other crime.

On the other hand, the purchase of the unfortunate African, after his enlargement from the floating dungeon which wafts him to the foreign market, however criminal in itself, and yet more, in its tendency to encourage this abominable traffic, yields in atrocity to the violent seizure of his person, his sudden and unprepared separation from his family, his kindred, his friends, and his country, followed by all the horrors of the middle passage. Are there not united in this offence all that is most iniquitous in theft, most daring in robbery, and cruel in murder? Its consequences to the victim, if he survives; to the country which receives him; and to that from which he is torn, are alike disastrous. If the internal wars of Africa, and their desolating effect, may be imputed to the slave trade, and that the greater part of them must, cannot now be questioned, this crime, considered in its remote, as well as its proximate consequences, is

the very darkest in the whole catalogue of human iniquities; and its authors should be regarded as *hortes humani generis.*]

In proposing to the House of Representatives to make such part of this offence, as occurs upon the ocean, piracy, your committee are animated, not by the desire of manifesting to the world the horror with which it is viewed by the American people; but, by the confident expectation of promoting, by this example, its more certain punishment by all nations, and its absolute and final extinction.

May it not be believed, that when the whole civilized world shall have denounced the slave trade as piracy, it will become as unfrequent as any other species of that offence, against the law of nations? Is it unreasonable to suppose, that negociation will, with greater facility, introduce into that law such a provision, as is here proposed, when it shall have been already incorporated in the separate code of each state?

The maritime powers of the christian world have, at length, concurred in pronouncing sentence of condemnation against this traffic. The United States having led the way in forming this decree, owe it to themselves, not to *follow* the rest of mankind in promoting its vigorous execution.

If it should be objected, that the legislation of Congress would be partial, and its benefit, for a time at least, local, it may be replied, that the constitutional power of the government has already been exercised in defining the crime of piracy, in accordance with similar analogies, to that which the committee have sought to trace between this general offence against the peace of nations and the slave trade.

In many of the foreign treaties, as well as in the laws of the United States, examples are to be found of piracies, which are not cognizable, as such, by the tribunals of all nations. Such is the unavoidable consequence of any exercise of the authority of Congress, to define and punish this crime. The definition and the punishment can bind the United States alone.

A bill from the Senate, making further provision for the exercise of this constitutional power, being now before the House of Representatives, your committee beg leave to offer such an amendment of its provisions, as shall attain the last object which they have presumed to recommend.